

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action. Favorable reconsideration of the subject application is requested in view of the comments made herein.

By the present amendment, several claims are cancelled to remove some issues (e.g., all of the rejections/objections which related to claim 14) that would prevent moving the application swiftly toward allowance. As such, only claims 32-41 remain. Claims 32 and 36 are been amended. Also, all of the claims are amended to place the claims in a more typical U.S. format.

Turning to the amendments to claim 32, it should be noted that the claim has been clarified to address the point raised within item 6 on page 5 of the Office action. Also, the amendments to claims 32 help distinguish of the prior art.

Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. (U.S. 5,738,064) in view of Dohse et al. (U.S. 5,065,476). It would not have been obvious to the person of ordinary skill in the art to use Dohse to try to modify the Lowe device. Further, assuming, arguendo, that the two references were to be combined, the present invention would not be provided.

Dohse teaches "The second handle shell 28 is then placed against the first handle shell 27 which already contains the throttle lever, pawls and springs." See Col. 6 lines 16-19 of Dohse. However, the purpose for having these components contained in one shell is to be able to displace one shell in relation to the other when assembling the handle into the carrier part. The two handle shells cannot be put together before being inserted into the carrier because of the configuration of the segment 33 of the first handle shell 27. See Figs. 7 and 8 of Dohse. On the contrary, the first handle shell 27 is initially inserted in the direction of arrow 35 so that the radial projection 31 engages behind the annular portion 9. Subsequently, the second handle shell 28 is placed against the first handle shell 27, and the second handle shell 28 is displaced (relative to the first handle shell 27 and the carrier) so as to have the complimentary segment 34 engaging in the annular-shaped portion 9 and the extension 10. See Col. 6 lines 7-25 of Dohse. Configuring the handle shells so that they are able to be displaced in relation to each other when placed against each other clearly teaches the person of ordinary in

the art away from permanently joining the handle shells. Therefore, the logical person of ordinary skill in the art is not even going to seek/use Dohse to modify the Lowe device.

Even though the teachings from the documents would logically not even be combined, it is further not clear from Figs. 5 and 8 nor from the description in Dohse that the throttle lever or safety button, or the support aspects thereof, are secured only in one of the handle shells. Saying that one shell "contains" (col. 6 line 18) the throttle lever etc before placing against the other shell does not necessarily mean that the throttle lever, etc. will not be secured also to the other handle shell. Also, the section views in Figs. 5 and 8, are seen along V-V in Fig. 4. See col. 5, lines 26-27. Line V-V is below the locations where the throttle lever and safety button are secured. Therefore, saying that the throttle lever and safety button are secured only to one handle shell in Dohse is only speculative. How these components are secured is not described, there is nothing to suggest securing to only one handle shell, and it is certainly expected and logical that the securing would be to both.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ABE1-38148.

Respectfully submitted,
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